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Revised Code No. 244E—Amendment No. 1

Registry No. 1043—01

NATIONAL RECOVERY ADMINISTRATION

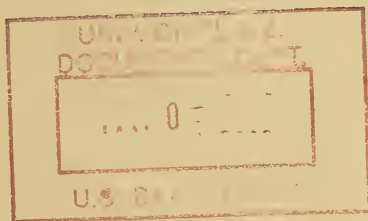
AMENDMENT TO SUPPLEMENTARY
CODE OF FAIR COMPETITION

FOR THE

TILE CONTRACTING
INDUSTRY

(A Division of the Construction Industry)

AS APPROVED ON JULY 12, 1934

UNITED STATES
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Approved Code No. 244E—Amendment No. 1

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR
COMPETITION

FOR THE

TILE CONTRACTING INDUSTRY

As Approved on July 12, 1934

ORDER

APPROVING MODIFICATION OF SUPPLEMENTARY CODE OF FAIR COM-
PETITION FOR THE TILE CONTRACTING INDUSTRY

A DIVISION OF THE CONSTRUCTION INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of a modification of a Supplementary Code of Fair Competition for the Tile Contracting Division of the Construction Industry, and due notice and opportunity to be heard having been given thereon and the annexed report on said modification, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said modification and the Supplementary Code as constituted after being modified comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said modification be and it is hereby approved, and that the previous approval of said Supplementary Code is hereby modified to include an approval of said Supplementary Code in its entirety as modified.

HUGH S. JOHNSON,

Administrator for Industrial Recovery.

Approval recommended:

GEO. L. BERRY,

Division Administrator.

WASHINGTON, D.C.,

July 12, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on a modification of the Supplementary Code of Fair Competition for the Tile Contracting Division of the Construction Industry, which was approved by you on April 2, 1934.

These changes in Section 4 of Article III of the Code of Fair Competition for the Tile Contracting Division will enable the Code Authority to collect the expenses of code administration, as set forth in the Executive Order of April 14, 1934, "Making Provision for a Clause in Codes of Fair Competition Relating to Collection of Expenses of Code Administration."

FINDINGS

The Deputy Administrator in his final report to me on said modification of said Code having found as herein set forth and on the basis of all the proceedings in this matter;

I find that:

(a) The modification of said Code and the Code as modified are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as modified complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The modification and the Code as modified are not designed to and will not permit monopolies or monopolistic practices.

(d) The modification and the Code as modified are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(e) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said modification.

For these reasons, therefore, I have approved said modification of the Tile Contracting Chapter of the Code of Fair Competition of the Construction Industry.

Respectfully,

HUGH S. JOHNSON,
Administrator.

JULY 12, 1934.

MODIFICATION OF SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE TILE CONTRACTING INDUSTRY

A DIVISION OF THE CONSTRUCTION INDUSTRY

Article III, Section 4—

Delete the present Section and, in lieu thereof, insert the following:

1. It being found necessary, in order to support the administration of this Code and to maintain the standards of fair competition established by this Code and to effectuate the policy of the Act, the Code Authority is authorized, subject to the approval of the Administrator:

(a) To incur such reasonable obligations as are necessary and proper for the foregoing purposes and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purpose of the Code;

(b) To submit to the Administrator for his approval, subject to such notice and opportunity to be heard as he may deem necessary, (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry;

(c) After such budget and basis of contribution have been approved by the Administrator, to determine and secure equitable contribution as above set forth by all members of the Industry, and to that end, if necessary, to institute legal proceedings therefor in its own name.

2. Each member of this Division shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the Administrator. Only members of the Industry complying with the Code and contributing to the expenses of its administration as provided in Sub-section 1 hereof (unless duly exempted from making such contribution) shall be entitled to participate in the selection of the members of the Code Authority or to receive the benefit of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

3. The Code Authority shall neither incur nor pay any obligation in excess of the amount thereof as estimated in its approved budget, except upon approval of the Administrator and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the Administrator shall have so approved.

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